

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

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ISSUED: May 13, 1976

Forwarded to:
Honorable John L. McLucas
Administrator
Federal Aviation Administration
Washington, D. C. 20591

SAFETY RECOMMENDATION(S)

A-76-67 through -70

The National Transportation Safety Board has been assisting the Government of Italy in its investigation of an accident which involved the Trans World Airlines (TWA) Flight 842 (B-707) at Malpensa International Airport near Milan, Italy, on December 22, 1975. Although the cause of the accident has not been determined, the Safety Board has found inadequacies in the regulations and procedures pertaining to flag air carrier operations into foreign airports. The Safety Board believes that amendment of the Federal Aviation Regulations (FAR) is necessary to correct these inadequacies.

Before the accident, TWA Flight 842 had executed two autocoupled ILS, Category-I approaches to runway 35R at Malpensa. The first approach was abandoned before touchdown, but below decision height. The second approach was continued to touchdown, and the aircraft crashed; it came to rest off the right side of the runway. Before the first approach, the visibility conditions reported to Flight 842 by Malpensa Tower were "...general visibility -- 100 meters, touchdown RVR [runway visual range] -150 meters, icing fog..." Before the second approach, the visibility reported to Flight 842 was, "...general visibility--100 meters, RVR touchdown point--100 meters...." On the Jeppesen Approach Chart, the landing minimums authorized for a Category-I approach to runway 35R was 600 meters RVR.

The provisions of 14 CFR 121.651, "Takeoff and landing weather minimums: IFR: domestic and flag air carriers," prohibit a pilot from executing an instrument approach or landing at an airport where the latest report by the U. S. National Weather Service (NWS) or the latest report by a source approved by the NWS indicates that the visibility is less than the minimums prescribed for landing at that airport.

Under certain conditions, generally called "look-see," 14 CFR 121.651(c) and (d) permit a pilot to execute an instrument approach when the visibility is reported below minimums. The pilot in command is permitted to land only if he finds, "...upon reaching the authorized MDA or DH, that actual weather conditions are at least equal to the prescribed minimums."

The provisions of 14 CFR 121.651 did not apply to Flight 842's operations into Malpensa because of the stipulation in the rule that the weather report be from the NWS or a source approved by the NWS. Since the NWS does not approve the weather reporting facilities for air carrier operations at Malpensa or at any airport outside the 48 contiguous States, "look-see" approaches at such airports are tacitly approved. Moreover, there are no restrictions against "look-see" in TWA's operations specifications which are issued by the Federal Aviation Administration (FAA).

The lack of a restriction against "look-see" approaches is reflected in TWA's flight operations manual by the following statement:

"U. S. flag carrier aircraft are permitted to start an approach at airports outside of the U. S. where no U. S. National Weather Service reporting facilities exist, regardless of the reported weather...." The flightcrew of Flight 842 stated that they referred to that portion of the flight operations manual before they began the first approach, to be sure that they were allowed to make a "look-see" approach.

However, the FAR's are inconsistent because the provisions of 14 CFR 121.101, "Weather Reporting Facilities," specify that, "... (b) no domestic or flag carrier may use any weather report to control flight unless--(2) For operations conducted outside the 48 contiguous States... it was prepared by a source approved by the Administrator." The Safety Board believes that the reports of a weather reporting facility approved by FAA's Administrator in accordance with 14 CFR 121.101, "to control flight," should be acceptable for the purpose of controlling instrument approaches and landings under the provisions of 14 CFR 121.651. Thus, if an FAA-approved facility reports visibility below landing minimums, no pilot should be permitted to execute an instrument approach or to land at that airport, except as provided by 14 CFR 121.651(c) and (d). The Safety Board believes that the same rationale which governs "look-see" approaches within the U. S. should apply at foreign airports with weather reporting facilities approved by FAA's Administrator and that the FAR's should be so amended.

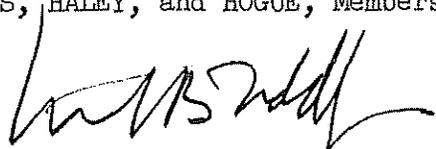
Finally, the Safety Board notes that 14 CFR 121.653, which governs takeoff and landing IFR weather minimums for U. S. supplemental air carriers and commercial operators, prohibits pilots from executing an

instrument approach if the latest reported visibility is less than the landing minimums specified in the operator's operations specifications. This rule does not require that the weather report be issued by the NWS, a NWS-approved source or the Administrator. However, these operators also operate into airports outside the U. S. Thus, the Safety Board concludes that the FAR's are inconsistent and should be amended to provide a level of safety for supplemental air carriers and commercial operators that is consistent with the level established for domestic and flag air carriers.

In view of the above, the National Transportation Safety Board recommends that the Federal Aviation Administration:

1. Amend the Operations Specifications of U. S. flag air carriers to prohibit pilots from executing an instrument approach or landing at an airport unless the latest visibility has been reported by the NWS, by a NWS-approved source, or by an FAA-approved source and unless the reported visibility is equal to or greater than the carrier's landing minimums. (Class I - Urgent Followup)
2. Amend 14 CFR 121.651(a) and (b) to prohibit a pilot from executing an instrument approach or from landing at an airport when the NWS, a NWS-approved source, or an FAA-approved source reports that the visibility is less than that prescribed by the Administrator for landing at that airport. (Class II - Priority Followup)
3. Amend 14 CFR 121.651(c) and (d) to permit the use of a weather report issued by a facility which has been approved by the Administrator, FAA. (Class II - Priority Followup)
4. Amend 14 CFR 121.653 to require that weather reports cited in this rule be issued by the NWS, by a NWS-approved source, or by a source approved by the Administrator, FAA. (Class II - Priority Followup)

TODD, Chairman, McADAMS, BURGESS, HALEY, and HOGUE, Members, concurred in the above recommendations.


By: Webster B. Todd, Jr.
Chairman

THESE RECOMMENDATIONS WILL BE RELEASED TO THE PUBLIC ON THE ISSUE DATE SHOWN ABOVE. NO PUBLIC DISSEMINATION OF THIS DOCUMENT SHOULD BE MADE PRIOR TO THAT DATE.